THE SPEECH OR DECLARATION OF THE LORD FAVLKLAND, TO THE LORDS OF THE VPPER HOVSE, upon the delivery of the ARTICLES of the Commons Assembled in *Parliament*: AGAINST THE LORD FINCH.

LONDON,
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ERSKINE

TO THE FOREMOST MAN OF ENGLAND.

DECLARATION OF

SPEECH

THE LORD FAVLKLANDS SECOND SPEECH

Made the 14. of *Januarij*, after the reading of the Articles againſt the Lord FINCH.

THESE Articles againſt my Lord *Finch* being read, I may be bold to apply that of the Poet, *Nil refert tales verſus qua voce legantur*; and I doubt not but your Lordſhips muſt bee of the ſame opinion, of which the Houſe of Commons appeares to have bin, by the choyce they have made of mee, that the Charge I have brought is ſuch, as needs no Aſſiſtance from the bringer, leaving not ſo much as the colour of a colour for any defence, including all poſſible Evidence, and all poſſible Aggravation (that addition alone excepted) which hee alone could make, and hath made, I meane his Confeſſion, included in his flight.

Here are many and mighty Crimes, Crimes of Supererogation, (So that High Treaſon is but a part of his Charge) purſuing him fervently in every ſeverall condi-

tion, (being a ſilent Speaker, an unjuſt Judge, and an unconſcionable Keeper.) That his Life appeares a perpetuall Warfarre, (by Mines, and by Battery, by Battell, and by Stratagem) againſt our fundamentall Laws, (which by his own confeſſion) ſeveral Conqueſts had left untoucht, againſt the excellent Conſtitution of this Kingdome, which hath made it appeare to Strangers rather an *Idea*, then a reall Common wealth, and produced the honour and happineſſe of this to be a wonder of every other Nation, and this with unfortunate ſucceſſe, that as he alwayes intended to make our Ruines a ground of his advancement; ſo his advancement the meanes of our further ruine.

After that, contrary to the further end of his place, and the end of that meeting in which hee held his place, hee had as it were, gagg'd the Common Wealth, taking away, (to his power) all power of Speech from that body, of which he ought to have been the Mouth, and which alone can perfectly repreſent the condition of the people, whom that only repreſents, which if he had not done, in all probability, what ſo grave and judicious an Aſſembly might have offered to the conſideration of ſo gratious and juſt a Prince, had occaſioned the redreſſe of the grievances they then ſuffered, and prevented thoſe which we have ſince endured, according to the ancient Maxime of *Odiſſe quos læſeris*: he purſued this offence towards the Parliament, by invighing againſt the Members, by ſcandalizing their proceedings, by trampling upon their Acts & Declarations, by uſurping and devolving the Right, by diminiſhing and abrogating the power, both of that and other Parliaments, and making them (as much as in him lay) both uſeleſſe and odious to his Majeſtie, and purſued his hatred to this Fountaine of Juſtice by corrupting the ſtreames of it, the Lawes; and perverting the Conduit pipes, the Iudges.

He

He practiced the annihilating of Ancient, and Notorious perambulations of particular Forrests, the better to prepare himselfe to annihilate the Ancient, and Notorious perambulation of the whole Kingdome, the meeres and bounders between the liberties of the Subject and Soveraigne power; he endeavoured to have all tenures *in durante bene placito*, to bring all Law from his Majesties Courts, into his Majesties breast: he gave our goods to the King, our Lands to the Deere, our Liberties to his Sheriffes; so that there was no way by which wee had not been oppreſt, and destroyed, if the power of this person, had been equall with his will: Or that the will of his Majesty, had been equall to his power.

He not onely by this meanes, made us lyable to all the effect of an Invasion from within, (and by destruction of our Liberties, which included the destruction of our propriety, which included the destruction of our Industry) made us lyable to the terriblest of all Invasions: that of want, and povertie. So that if what he plotted, had taken Roote (and he made it, as sure as his Declaration could make it (what himselfe was not) *Parliament Proofe*) in this wealthy, and happy Kingdome, there could have been left, no abundance but of grievances, and discontentment, no satisfaction but amongst the guiltie. It is generally observed of the Plague, that the Infection of others, is an earnest, and constant desire of all that are seized by it: and as this designe resembles that disease, in the ruine, destruction, and desolation, it would have wrought, so it seemes no lesse like it in this effect: He having so laboured to make others share in that guilt, that his solicitation, was not onely his Action, but his workes, making use both of his Authoritie, his Interest, and Importunitie, to perswade; and in his Majesties name (whose piety is knowne to give that Excellent Prerogative to his person, that The Law gives to his

place, not to be able to doe wrong) to threaten the reſt of the Judges, to ſigne opinions contrary to Law, to aſſigne anſwers contrary to their opinions, to give Iudgement which they ought not to have given, and to recant Judgement, when they had given as they ought, ſo that whoſoever conſiders his care of, and Concernment, both in the growth and the Immortalitie of this project, cannot but by the ſame way, by which the wiſeſt Judgement found the true Mother of the Childe, diſcover him not onely to have been the Foſterer, but the Father of this moſt pernicious and envious deſigne.

I ſhall not need to obſerve, that this was plotted and purſued by an *Engliſh-man*, againſt *England*, (which encreaſeth the Crime in no leſſe degree then parricide is beyond Murther) that this was done in the greateſt matter joyned to the greateſt Bond, being againſt the generall libertie, and publique propriety, by a ſworne Judge, (and if that ſalt it ſelfe, becauſe unſavory, the Goſpel it ſelfe, hath deſign'd whither it muſt be caſt) that he poyſoned our very Antidotes, and turned our Guard into a deſtruction, making Law the ground of Illegalitie: that he uſed this Law not onely againſt us, but againſt it ſelfe, making it as I may ſay, *Felo de ſe*, making the pretence, (for I can ſcarce ſay, the appearance of it) ſo to contribute the utter ruine of it ſelfe.

I ſhall not need to ſay, that either this (or more can be) of the higheſt kinde, and in the higheſt degree of Parliamentary Treaſon, a Treaſon which need not a computation of many ſeverall Actions, which alone were not Treaſon, to prove a Treaſon altogether, and by that demonſtration of the intention, to make that formalitie Treaſon which were materially but a miſdemeanor, a Treaſon, as well againſt the King, as againſt the Kingdome, for whatſoever is againſt the whole, is undoubtedly againſt the head, which takes from his Majeſty, the

ground

ground of his Rule, the Lawes, (for if foundations be destroyed, the Pinnacles are most endangered) which takes from his Majesty the principall honour of his Rule, the Ruling over Free-men, (a power as much Nobler then over Villaines, as that is that's over Beasts) which endeavoured to take from his Majesty, the principall support of his Rule, their hearts and affections over whom he Rules (a better and surer strength and wall to the King, then the Sea is to the Kingdome) and by begetting a mutuall distrust, and by that a mutuall disaffection betweene them, to hazard the danger even of the destruction of both.

My Lords,

I shall the lesse need to presse this, because as it were unreasonable in any case to suspect your Iustice, so here especially, where your Interest so sincerely unites you, your great share in Possessions, giving you an equall concernment in propriety, the care and paines used by your Noble Ancestors in the founding and asserting of our common Liberties, rendring the just defence of them, your most proper and peculiar Inheritance, and both exciting to oppose and extirpate all such desines as did introduce, and would have settled an Arbitrary, that is, an intollerable forme of Government, and have made even your Lordships and your posteritie but Right Honourable Slaves.

My Lords,

I will spend no more words, *Luctando cum larva*, in accusing the Ghost of a departed person, whom his

his crimes accuse more then I can doe; and his absence accuseth no lesse then his Crime. Neither will I excuse the length of what I have said, because I cannot adde to an Excuse, without adding to the Fault, or my owne Imperfections, either in the matter or manner of it, which I know must appeare the greater, by being compared with that Learned Gentlemans great abilitie, who hath preceded me at this time: I will onely desire by the Command, and in the behalfe of the House of Commons, that these proceedings against the Lord FINCH, may be put in so speedy a way of dispatch, as in such cases the course of Parliament will allow.

FINIS.

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